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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,994	09/01/2000	Koichiro Macmura	2271/62975	6805

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Richard F Jaworski
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036

EXAMINER

PARK, CHAN S

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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06/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/653,994	Applicant(s) MAEMURA, KOICHIRO	
	Examiner CHAN S. PARK	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-38, 41 and 42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-38, 41 and 42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/9/07.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 4/9/07 has been entered.

Allowable Subject Matter

2. The indicated allowability of claims 17-38, 41 and 42 is withdrawn in view of the newly discovered reference(s) to Fujiwara et al. JP Publication No. 63-131658 (hereinafter Fujiwara). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17-38, 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujiwara (refer to the translation provided) in view of Oba et al. U.S. Patent No. 6,072,599 (hereinafter Oba).

3. With respect to claim 17, Fujiwara discloses a facsimile device provided with a receipt-rejected function of rejecting message receipt from a communication partner other than communication partners previously registered in a receipt-allowed communication partner registering table, said facsimile device comprising:

a receipt-rejected communication control medium collecting communication control information in connection with a communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table (4-1 Register memory), and storing said collected communication control information in a receipt-rejected communication control information storage medium (pages 5~6 & fig. 2); and

a communication control list creating medium creating a list of image information on the basis of the communication control information stored in said receipt-rejected communication control information storage medium (memory 11 & 11-1 in fig. 2 & page 6);

wherein when said communication relating to the message arrival from said communication partner not registered in said receipt-allowed communication partner registering table is rejected, a facsimile receiving process is not performed by said facsimile device for the receipt-rejected communication (pages 5~6 & fig. 3), and

wherein for a receipt-rejected communication partner, said list of image information shows a plurality of rejected communications from the receipt-rejected communication partner including for each rejected communication from the receipt-rejected communication partner the date and time of the rejected communication (memory 11-1 in fig. 2 & page 6) and

wherein said list of image information only shows the plurality of rejected communications from receipt-rejected communication partners including for each rejected communication from the receipt-rejected communication partner the date and time of the rejected communication (memory 11 & 11-1 in fig. 2 & page 6).

Fujiwara, however, does not disclose a list outputting medium for visibly outputting said list of image information created by said communication control list creating medium.

Oba, the same field of endeavor of the facsimile communication, discloses the facsimile device for collecting communication history and visibly outputting said history list of the facsimile communication (col. 24, line 37 ~ col. 25, line 11).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the method of outputting the history list of Oba into the facsimile device of Fujiwara.

The suggestion/motivation for doing so would have been to identify the list of multiple blocked/rejected facsimile communications at once by printing the list in one page.

Therefore, it would have been obvious to combine Fujiwara with Oba to obtain the invention as specified in claim 17.

4. With respect to claim 21, Fujiwara discloses the facsimile device provided with a receipt-rejecting function as defined in claim 17,

wherein the communication control information collected by said receipt-rejected communication control medium and stored in said receipt-rejected communication control information storing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes a communication partner identifying information (memory 11 & 11-1 including 'TEL No.' in fig. 2 & page 6).

5. With respect to claim 27, Kida discloses the facsimile device provided with a receipt-rejecting functions as defined in claim 17,

wherein said facsimile device further comprises a time counting medium for counting the present date and time; and

wherein the communication control information collected by said receipt-rejected communication control medium and storing in said receipt-rejected communication control information memorizing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes the date-and-time information read out from said time counting medium at the time of the message arrival (memory 11 & 11-1 including 'date' & 'time' in fig. 2 & page 6).

Since it records the present date and time of the facsimile refusal, it is inherent that the device has a clock for counting the present date and time.

6. With respect to claim 29, arguments analogous to those presented for claim 27, are applicable.

7. With respect to claim 18, Fujiwara teaches a method of controlling a facsimile device provided with a receipt-rejected function of rejecting message receipt from a communication partner other than a communication partner previously registered in a receipt-allowed communication partner registering table,

said method of controlling the facsimile device provided with a receipt-rejecting function comprising the steps of:

collecting communication control information in connection with the communication relating to message arrival from a communication partner not registered in said receipt-allowed communication partner registering table (4-1 Register memory);

storing said collected communication control information in a receipt-rejected communication control information storage medium (pages 5~6 & fig. 2); and

creating a list of image information on the basis of the communication control information stored in said receipt-rejected communication control information storage medium (memory 11-1 in fig. 2 & page 6);

wherein when said communication relating to the message arrival from said communication partner not registered in said receipt-allowed communication partner registering table is rejected, a facsimile receiving process is not performed by said facsimile device for the receipt-rejected communication (pages 5~6 & fig. 3), and

wherein said list of image information includes communication control information for a plurality of rejected communications, and the communication control information in the list for a rejected communication indicates that the communication was rejected (memory 11-1 in fig. 2 & page 6) and

wherein said list of image information only shows the plurality of rejected communications from receipt-rejected communication partners including for each rejected communication from the receipt-rejected communication partner the date and time of the rejected communication (memory 11 & 11-1 in fig. 2 & page 6).

Fujiwara, however, does not disclose a list outputting medium for visibly outputting said list of image information created by said communication control list creating medium.

Oba, the same field of endeavor of the facsimile communication, discloses the facsimile device for collecting communication history and visibly outputting said history list of the facsimile communication (col. 24, line 37 ~ col. 25, line 11).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the method of outputting the history list of Oba into the facsimile device of Fujiwara.

The suggestion/motivation for doing so would have been to identify the list of multiple blocked/rejected facsimile communications at once by printing the list in one page.

Therefore, it would have been obvious to combine Fujiwara with Oba to obtain the invention as specified in claim 18.

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8. With respect to claim 23, arguments analogous to those presented for claim 21, are applicable.

9. With respect to claim 25, Fujiwara teaches the method of controlling the facsimile device provided with a receipt-rejecting function as defined in claim 18,

wherein the communication control information memorized in said receipt-rejected communication control information storing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes a communication partner identifying information (memory 11 & 11-1 including 'TEL No.' in fig. 2 & page 6).

10. With respect to claim 31, arguments analogous to those presented for claim 27, are applicable.

11. With respect to claim 33, arguments analogous to those presented for claim 27, are applicable.

12. With respect to claims 35-38, arguments analogous to those presented for claim 27, are applicable.

13. With respect to claim 19, Fujiwara discloses a facsimile device provided with a receipt-rejected function of rejecting message receipt from communication partner other than communication partners previously registered in a receipt-allowed communication partner registering table, wherein said facsimile device comprising:

a normal communication control medium collecting communication control information in connection with the communication relating to a message receipt from the

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communication partner registered in a transmission-allowed communication partner registering table or in said receipt-allowed communication partner registering table and storing said collected communication control information in said normal communication control information storage medium (memory 11 'incoming call memory in fig. 2).

With respect to the rest of limitations in claim 19, arguments analogous to those presented for claims 17 and 18, are applicable.

14. With respect to claim 20, arguments analogous to those presented for claims 17-19, are applicable.

15. With respect to claim 22, arguments analogous to those presented for claim 21, are applicable.

16. With respect to claim 24, arguments analogous to those presented for claim 21, are applicable.

17. With respect to claim 26, arguments analogous to those presented for claims 21 and 25, are applicable.

18. With respect to claim 28, arguments analogous to those presented for claim 27, are applicable.

19. With respect to claim 30, arguments analogous to those presented for claim 27, are applicable.

20. With respect to claim 32, arguments analogous to those presented for claim 27, are applicable.

21. With respect to claim 34, arguments analogous to those presented for claim 27, are applicable.

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22. With respect to claim 41, arguments analogous to those presented for claim 18, are applicable.

23. With respect to claim 42, arguments analogous to those presented for claim 19, are applicable.

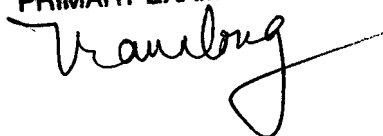
Contact Information

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DOUGLAS Q. TRAN
PRIMARY EXAMINER



csp
May 30, 2007

Chan S. Park
Examiner
Art Unit 2625

